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16 JOHN ARNTZ, in his official capacity as
17 Director of the San Francisco Department of
18 Elections

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

19 VOTING RIGHTS DEFENSE PROJECT,
20 AMERICAN INDEPENDENCE PARTY,
21 CLARA DAIMS, and SUZANNE
22 BUSHNELL,
23

24 Plaintiffs,

25 vs.

26 ALEX PADILLA, in his official capacity as
27 Secretary of State and an indispensable party,
28 TIM DEPUIS, in his official capacity as chief
of the Alameda County Registrar of Voters,
JOHN ARNTZ, in his official capacity as
Director of the San Francisco Board of
Elections, and DOES I-X,

29 Defendants.

Case No. 16-cv-02739-WHA

**DECLARATION OF SAN FRANCISCO
DIRECTOR OF ELECTIONS JOHN ARNTZ**

Hearing Date: August 18, 2016
Time: 8:00 a.m.
Judge: Hon. William H. Alsup
Place: Ctrm. 8, 19th Floor

1 I, John Arntz, declare as follows:

2 1. I am San Francisco's Director of Elections, and I am a named defendant in this action.

3 I have personal knowledge of the following facts. If called upon to testify, I could and would testify
4 competently to the contents of this Declaration.

5 2. The website of the San Francisco Department of Elections ("Department") offers voters
6 an online tool to register to vote by mail.¹ The first step in the online application process requires the
7 voter to input his or her house number, zip code, and date of birth. Attached hereto as Exhibit A is a
8 screenshot of this initial page. From this information, the Department can determine if the person is an
9 NPP voter. If so, the voter is informed that he or she has the option of voting in one of the presidential
10 primaries, and that to do so, the voter must fill out an application. Attached hereto as Exhibit B is a
11 screenshot of this page. This page contains a link to that application. A true and correct copy of that
12 application is attached hereto as Exhibit C.

13 3. In early May 2016, the Department provided a Voter Information Pamphlet ("VIP") to
14 every registered San Francisco voter in either hard copy or digital format. Though the substance of the
15 VIP is the same for all voters, the back cover varies depending on whether or not the voter has
16 expressed a party preference. All back covers contain a vote-by-mail application. However, for NPP
17 voters, that application includes the option to select a party preference. A voter who submits that
18 application will receive a ballot for the presidential primary indicated on the application. Attached
19 hereto as Exhibit D is a true and correct copy of a VIP that an NPP voter would receive. Attached
20 hereto as Exhibit E is a true and correct copy of the back cover of a VIP that a non-NPP voter would
21 receive.

22 4. On June 16, 2016, I checked the Department's voter registration database, which
23 includes each voter's voting history, to determine if Suzanne Bushnell and Clara Daims voted in the
24 election on June 7, 2016, and if so, whether they voted in a presidential primary. Both Ms. Daims and
25 Ms. Bushnell cast votes in the Democratic presidential primary for the June 7, 2016 election. Ms.
26 Daims voted at her polling place, and Ms. Bushnell voted by mail. Both votes were counted.

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28 ¹ <http://sfelections.org/tools/vbmapp/index.php>

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2 I declare under penalty of perjury that the foregoing is true and correct. Executed on this 20th
3 day of June, 2016, in San Francisco, California.

4 */s/ John Arntz*
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JOHN ARNTZ